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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/771,102	01/26/2001	Jeremy M. Ford	16356.752	7708	
75	7590 12/30/2005		EXAM	EXAMINER	
DAVID L. MCCOMBS			CHAU, COREY P		
HAYES AND BOONE, LLP 901 MAIN STREET, SUITE 3100			ART UNIT	PAPER NUMBER	
DALLAS, TX	•		2644		
			DATE MAILED: 12/30/2005	5	

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)	•				
Office Action Cumpment	09/771,102	FORD, JEREMY M.					
Office Action Summary	Examiner	Art Unit					
	Corey P. Chau	2644					
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet w	ith the correspondence address					
A SHORTENED STATUTORY PERIOD FOR REF WHICHEVER IS LONGER, FROM THE MAILING - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUN 1.136(a). In no event, however, may a od will apply and will expire SIX (6) MO tute, cause the application to become A	ICATION. reply be timely filed NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).					
Status		•					
1) Responsive to communication(s) filed on 28	September 2005.						
	nis action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the							
closed in accordance with the practice unde		•					
Disposition of Claims							
4)⊠ Claim(s) <u>1,10-12,15-17 and 19-22</u> is/are per	nding in the application						
	4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.							
)⊠ Claim(s) <u>1, 10-12, 15-17, and 19-22</u> is/are rejected.						
7) Claim(s) is/are objected to.							
	Claim(s) are subject to restriction and/or election requirement.						
Application Papers	·						
9) The specification is objected to by the Exami	<u></u>	by the Everniner					
10) The drawing(s) filed on is/are: a) and an applicant may not request that any objection to the		•					
Replacement drawing sheet(s) including the corre							
11) The oath or declaration is objected to by the		•					
Priority under 35 U.S.C. § 119	Examiner. Note the attache	a office Action of form 1 10-102.					
<u> </u>							
12) Acknowledgment is made of a claim for foreign	gn priority under 35 U.S.C.	§ 119(a)-(d) or (f).					
a) All b) Some * c) None of:	man hava basa sasaiyad						
1. Certified copies of the priority docume		A					
2. Certified copies of the priority docume3. Copies of the certified copies of the priority docume							
3. Copies of the certified copies of the praction application from the International Bure	•	received in this National Stage					
* See the attached detailed Office action for a li	` ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '	received					
	ot of the continua copies no	, 1000110 4.					
Attachment(s)							
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 	· —	Summary (PTO-413) (s)/Mail Date					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/0 Paper No(s)/Mail Date		Informal Patent Application (PTO-152)					

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DETAILED ACTION

Claim Objections

1. Claim 11 objected to because of the following informalities: on line 3, recites "voltage supply via a voltage supply **node.**." which should be replaced with "voltage supply via a voltage supply **node.**". Appropriate correction is required.

Claim Rejections - 35 USC § 112

- 2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

 The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
- 3. Claims 1,10-12, 15-17, and 19-22 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- 4. Claim 1 recites "in response to the jack sense indicator determining that the listening device is not connected to the jack, the jack sensor indicator driving the first switch open to interrupt a signal path to the first speaker, the connection to the jack being maintained". The specification page 10 discloses "when jack sense indicator 50 determines that headphones are connected to jack 40, jack-sense indicator 50 will cause SW1 to be driven open, and the signal path between amplifier 11 and speaker 20 is interrupted". Claim 1 is not consistent with the specification and drawing, which render the claim indefinite because it is unclear to the Examiner what the Applicant is claiming as the invention. Claims 12, 16, and 22 are rejected for the same reasons stated above. Claims 10-11, 15, 17, 19-21 are rejected in view of the rejection above.

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- 5. Claims 1, 12, 16, and 22 recites "the second switch coupled to be driven by the jack sense indicator and including the second voltage supply, a first contact of the second switch being coupled to the first voltage supply, and a second contact of the second switch being coupled to an output of the second voltage supply", but does not clearly disclose which contact is the **second switch** coupled to in response to the jack sense indicator. Therefore is it unclear to the Examiner, the operation of **the second switch**, when the jack sense indicator determines that a listening device is connected.
- 6. Claim 11 recites the limitation "the low current voltage regulator" in line 2. There is insufficient antecedent basis for this limitation in the claim.
- 7. Claim 20 recites the limitation "the low current voltage regulator" in line 2. There is insufficient antecedent basis for this limitation in the claim.
- 8. Claim 21 recites the limitation "the regulator" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey P. Chau whose telephone number is (571)272-7514. The examiner can normally be reached on Monday - Friday 9:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on (571)272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 26, 2005 CPC

PRIMARY EXAMINER